

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT D. JOHNSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:17-cv-01173
	)	Judge Nora Barry Fischer
ALLEGHENY COUNTY AND ITS	)	Magistrate Judge Cynthia Reed Eddy
BUREAU OF CORRECTIONS AND	)	
ALLEGHENY COUNTY PRISON	)	
EMPLOYEES INDEPENDENT UNION,	)	
ORLANDO HARPER, Warden Allegheny	)	
County Jail, and JOHN WILLIAMS, Major of	)	
the Guard Allegheny County Jail,	)	
	)	
Defendant.	)	

**ORDER OF COURT**

AND NOW, this 29th day of August, 2018, after a Report and Recommendation (ECF No. [34]) was filed by United States Magistrate Judge Cynthia Reed Eddy on August 13, 2018, granting the parties 14 days to file written objections thereto, and no objections having been lodged by the parties, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the motion to dismiss filed on behalf of defendant Allegheny County Prison Employees Independent Union ("Union") (ECF No. [20]) is denied;

IT IS FURTHER ORDERED that the motion to dismiss filed by Allegheny County and Individual Defendants (ECF No. [22]) is granted, in part, and denied, in part. Said

motion [22] is granted as to the request for punitive damages and denied in all other respects.

IT IS FURTHER ORDERED that this matter is remanded to Magistrate Judge Eddy to conduct further pretrial proceedings.

*s/Nora Barry Fischer*  
Nora Barry Fischer  
United States District Judge

Cc/ecf: Honorable Cynthia Reed Eddy  
United States Magistrate Judge

All Counsel of Record.